

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32579 of 2021

Arising Out of PS. Case No.-17 Year-2021 Thana- VAISHALI District- Vaishali

CHANDAN KUMAR CHAUDHARY Son of Rama Sankar Chaudhary @
Shankar Chaudhary Resident of Village- Bakhara Bazar, P.S.- Saraiya,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar

For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-12-2021

Heard learned counsel for the parties.

Petitioner seeks regular bail in connection with
Vaishali P.S. Case No. 17 of 2021 registered for the offence
under Section 30(a), 33, 34, 36 , 41(1) of the Bihar Prohibition
and Excise Act, 2016.

The allegation as per the First Information Report is
that Police intercepted a car and recovered 70 liters of spirit from
the said car and arrested the petitioner while he was fleeing
away after coming out of the car.

Learned counsel for the petitioner submits that
petitioner has got no criminal antecedent, he was not arrested
from inside the car and was allegedly arrested while he
alighted from the car and started fleeing away. He further



submits that petitioner is neither the owner nor the driver of the car in question. Learned counsel next submits that petitioner is in custody since 14-01-2021, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence if released on bail.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner is not the owner of the car in question, he is having no criminal antecedent and is in custody since 14/01/2021, charge sheet has already been submitted and there is no likelihood that petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge II cum Excise Court Vaishali at Hajipur in connection with Vaishali P.S. Case No. 17 of 2021.

(Anil Kumar Sinha, J)

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